

**IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MISSOURI  
WESTERN DIVISION**

UNITED STATES OF AMERICA, )  
                                  )  
Plaintiff,                    )  
                                  )  
v.                             )                                    No. 16-00033-01-CR-W-DW  
                                  )  
                                  )  
BRITANY M. KLINE,            )  
                                  )  
Defendant.                    )

**ORDER**

Before the Court is the Report and Recommendation (Doc. 23) entered by Magistrate Judge Sarah W. Hays, recommending Defendant's Motion to Dismiss the Indictment due to Government's Failure to Preserve Potentially Exculpatory Evidence (Doc. 15) be denied. Copies were served electronically to all parties on September 8, 2016. Accordingly, any objections to the proposed findings and recommendation were due in writing by September 26, 2016. To date, however, no objections have been filed. As a result, Defendant has waived her right to review.

See FED. R. CRIM. P. 59(b)(2); Thomas v. Arn, 474 U.S. 140, 149-50 (1985).

Based on the foregoing, it is ORDERED that:

1. Defendant's Motion to Dismiss the Indictment due to Government's Failure to Preserve Potentially Exculpatory Evidence (Doc. 15) is DENIED; and
2. The Report and Recommendation (Doc. 23) shall be attached to and made a part of this Order.

SO ORDERED.

Date: September 29, 2016

/s/ Dean Whipple  
Dean Whipple  
United States District Judge